

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

YELLOWBIRD BUS COMPANY, INC., : CIVIL ACTION
: NO. 09-5835
Plaintiff, :
: v. :
LEXINGTON INSURANCE COMPANY, :
: Defendant. :
:

O R D E R

AND NOW, this **12th** day of **July 2010**, it is hereby
ORDERED that Defendant's motion to dismiss (doc. no. 3) is
GRANTED;

It is hereby further **ORDERED** that Plaintiff's Complaint
is **DISMISSED with leave to amend Counts II and III by Thursday,**
July 22, 2010;

It is hereby further **ORDERED** that Defendant's motion
for leave to file a reply (doc. no. 24) is **DENIED**.

AND IT IS SO ORDERED.

S/Eduardo C. Robreno

EDUARDO C. ROBRENO, J.